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Chair

The Honourable John McKay

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● (1100)

[*English*]

The Chair (Hon. John McKay (Scarborough—Guildwood, Lib.)): This meeting is now in order. This is meeting number 115, pursuant to the order of reference dated Wednesday, March 28, on Bill C-71, an act to amend certain rights and regulations in relation to firearms.

We have some witnesses with us today.

Mr. Fragiskatos.

Mr. Peter Fragiskatos (London North Centre, Lib.): I wonder if we could resume debate on motions that are on the floor, so I move that we do so.

The Chair: Those in favour of the motion?

Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC): I couldn't hear.

The Chair: It's been moved to resume debate on the motions that are on the floor. These are motions that have been previously presented.

Mr. Glen Motz: We're going to debate them today with four witnesses here?

The Chair: Right now.

Mr. Fragiskatos, the floor is yours.

Mr. Peter Fragiskatos: I'd like to speak to the motion that had been put forward I believe from Mr. Calkins, but I could be wrong on that. In any case, it's the invitation for the national security advisor to appear before the committee.

I think it's introduced in a good spirit, but I also think it's premature to invite the incoming NSA before the position has even begun. Let's follow the RCMP commissioner's precedent and allow the subcommittee to pursue the invitation in due course.

I table that.

The Chair: Is there any debate?

The motion is for tabling the invitation to Ms. Bossenmaier to appear before the committee.

(Motion agreed to [See *Minutes of Proceedings*])

The Chair: Ms. Damoff.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Chair, we had a motion before us from Mr. Calkins with a number of new witnesses he would like to add to the witness list.

This work was already done by the subcommittee. I think we worked hard to get representation from all sides of the issue and we even invited the Leader of the Opposition as one of the witnesses so that he could share with us his views on the legislation.

Unfortunately, he declined the invitation, but I do think the subcommittee did its work and there's no need to add these additional witnesses who have been put forward.

The Chair: Matthew.

Mr. Matthew Dubé (Beloeil—Chambly, NDP): I'm just wondering, are we allowed to talk about who was invited and discuss the subcommittee and what's never been made public?

The Chair: I think in camera stuff stays in camera, so the personalities or organizations should not be discussed in public, but the principle is available and Mr. Calkins has made a number of names available on which we would have no comment whatsoever as to whether they were discussed in camera.

Mr. Matthew Dubé: I just meant with regard to Mr. Scheer.

The Chair: Good point.

At any rate, yes. It's a technical point but true.

Ms. Pam Damoff: I apologize for bringing that up, Chair.

The Chair: Is there any more debate?

(Motion negatived [See *Minutes of Proceedings*])

The Chair: Mr. Spengemann.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): We have two motions on the issue of extremist travellers. I believe this is simply a stunt by the opposition and I'll say why that's the case.

The women and men of our security agencies take all potential threats very seriously and they have full tool kits at their disposal. Some of these measures include surveillance, the no-fly list, revocation of passports, and most importantly the laying of criminal charges where sufficient evidence exists. These women and men are doing their work despite cuts of over $1 billion sustained under the Harper government. They actively pursue investigations and lay charges again where evidence exists.

Since we took office, there were two returnees who have been charged with leaving Canada to participate in terrorist activity. None were charged under the previous government, so I think it's a bit rich for the opposition to even bring these two motions.

There are two components to making sure that we keep the terrorist threat at bay and this government is deeply committed to both of those avenues. The first one is to support community-based prevention and disengagement programs. The second, and often most important one, is the security and law enforcement agencies' tool kits, which they're using, as I mentioned, actively. That includes surveillance and criminal charges.

For these reasons, I'd like to vote against both of those motions.

● (1105)

The Chair: I didn't make any ruling on its admissibility, but I see no reason that it is not an admissible motion. It is properly before the committee.

Mr. Dubé.

Mr. Matthew Dubé: Chair, I just want to state for the record that no matter my position on a given bill or a study, or whether or not I agree with any witnesses who may or may not be before the committee, I just find this a bit rich.

Given that at the last meeting when motions were made to adjourn debate on the motions presented by our Conservative colleagues, for the reason that witnesses were before the committee, again, notwithstanding any political colour, I find it a bit rich that today we've decided to deal with every single solitary motion that seems to be on the docket.

It's disappointing because, as I said, as far as I'm concerned, when we have witnesses before the committee, we should table all these discussions, notwithstanding any political difference—or not—with a particular individual or organization.

The Chair: Thank you.

Mr. Motz.

Mr. Glen Motz: Of course, my colleagues across the way will vote this down as they see fit.

But if you're going to find this rich, then maybe get your facts straight, because under the previous Conservative government there were three people charged with travelling abroad for the purpose of terrorism. If you're going to make aspersions like that, at least be factual.

The Chair: Mr. Calkins.

Mr. Blaine Calkins (Red Deer—Lacombe, CPC): Well, given the fact that Mr. Spengemann has made such an obvious case of how great the Liberal Party is compared to the past Conservative government, it would seem odd to me that they wouldn't want to expand on this and actually vote in favour of the motion and have the discussion. If the shame that he thinks we wear for the legislation we had in the last Parliament is that great, I would love to have that debate at this committee.

The Chair: Is there any further commentary or debate?

(Motion negatived [See *Minutes of Proceedings*])

The Chair: Is there anything else?

Seeing none, witnesses, welcome to the committee.

We have with us the Canadian Coalition for Firearm Rights and the Canadian Shooting Sports Association.

I don't know whether there's any agreement between the two of you as to who goes first, but in the absence of an agreement we'll just go in order of how you're listed. That would have the Canadian Coalition for Firearm Rights speaking first for 10 minutes.

Mr. Rod Giltaca (Chief Executive Officer and Executive Director, Canadian Coalition for Firearm Rights): Thank you, Mr. Chair.

Thank you to the committee for inviting us to contribute to the discussion around Bill C-71.

As the committee is aware, we represent the Canadian Coalition for Firearm Rights. What is significant about that is that the CCFR is primarily a public relations organization. We represent thousands of highly compliant, continuously vetted individual Canadians who are frustrated with being continually punished for no valid reason.

We are being punished by pointless and ineffective regulations, nonsensical and arbitrary requirements, and vilification by the government and media without end.

Consider this: what force would drive your neighbours, your friends, the mechanic who works on your car, an MP, to support, fund, and maybe even volunteer in an organization like ours? The answer to that is the government irresponsibly using its power to implement irrational and political solutions to very complex societal problems and alleged solutions like Bill C-71.

The bill itself we consider to be a disaster. It breaks the Liberal's promise of no new long-gun registry. In response they intend to build an entirely new long-gun registry, up to but excluding the serial number and the description of the firearm that's being transferred. The last time they went down this road it cost the taxpayer over $2 billion. Here we go again.

The private transfer of a firearm post Bill C-71 would consist of a process that records everything about the transfer, including a mandatory approval by the firearms program to transfer that firearm, and the issuance of a reference number. The reference number is essentially a database record number. Although it would be missing from this registry, two additional fields are in the registry, the serial number and the description of the firearm, as I mentioned. I would be completely confident that a few extra fields would be built in for future expansion should the political climate become more permissive later.

Regardless, it's a registry and it has everything to do with firearms.

I'll mention one more thing on this topic. This entire structure and the obligations that it foists upon million of gun owners who haven't done anything wrong to deserve this extra regulation has been billed simply as verifying a licence before a transfer. It certainly sounds reasonable and inexpensive but it's neither. It is grossly misleading; that statement in particular.

Another bizarre measure in Bill C-71 is the revocation of the long-term authorization to transport, the ATT, needed for a licensed gun owner to take their handgun to a gunsmith to have it serviced, for example. It's not that this activity is no longer acceptable, it absolutely is, but under this bill, the owner would need a short-term ATT, which requires a request to the Firearms Centre, processing, a bureaucratic approval, and mailing a piece of paper, which is physically carried by the owner to the gunsmith. This needs to be done every time.

Now remember, this is a licensed gun owner, whom the government has vetted and checks for criminal activity every day. This is a gun owner about whom the government says, that's okay, they can possess unlimited handguns and unlimited ammunition. They can drive to and from the range and wherever else is approved. But unless they had this special permission slip they can't go to the gunsmith because I guess the implication is they'll probably engage in some kind of gang activity or sell their firearm to a criminal.

I wonder what gang member or domestic abuser calls the Firearms Centre for an ATT before transporting their firearm to a crime scene. I'm sure we don't have any numbers on that.

This measure is ridiculously wasteful and is completely ineffective in changing the behaviour of criminals. I was under the impression that this bill was to reduce the criminal use of firearms.

One of the worst provisions in this bill is giving unalterable authority to the RCMP to classify firearms. As it is now, the RCMP is doing this work. If a mistake or an abuse of that authority is committed then elected representatives can overrule them and correct the situation. The difference post Bill C-71 is that should this situation occur no procedural recourse can be taken, none at all.

The minister has rejected this uncomplicated and completely valid criticism by claiming that definitions are defined in legislation, and that the RCMP are merely following instructions. The reality is very different. It's putting the RCMP in a situation where they can determine what possessions are illegal or legal. That same group will enforce their decisions. That in itself is antithetical to how our entire system works and for good reason.

The existing criteria is so horribly written that almost anything could be classified prohibited. We have seen that several times already.

● (1110)

Without very careful consideration of all aspects of this part of the bill, this could be a real problem for everyone.

I'd like to turn the rest of our time over to Ms. Wilson.

The Chair: You have a little less than five minutes.

Ms. Tracey Wilson (Vice-President, Public Relations, Canadian Coalition for Firearm Rights): Good morning, Mr. Chair and committee members. My name is Tracey Wilson and I am an avid hunter, sport shooter, mother, and grandmother.

I've been monitoring the committee hearings for Bill C-71 so far, and there seems to be a significant emphasis on domestic violence and the safety of women. Something I've heard repeatedly or in different variations are statements like "based on my research" or "in my experience", and then a percentage figure, like 26% or 32% or 66%, is thrown out.

The CCFR is a group that uses fact in its arguments. That's one of the reasons we enjoy so much support. We don't exaggerate data or fill the room with people holding signs to fool or guilt people into agreeing with our opinions. We don't think that is a responsible way to contribute to policy development.

The first thing I want to establish is that gun owners are, overwhelmingly, great people. We are highly vetted. We are monitored daily for criminal behaviour. We are also people who want Canadians to be safe, and we want women to be safe. This idea that if we don't agree with someone's bad policy suggestions somehow we don't want women to be safe needs to stop. It's divisive and it leads to bad policies.

The CCFR uses the Canadian government's own numbers to support virtually all of its positions. To cut straight to it, StatsCan reports consistently that less than 1% of all police-reported incidents of domestic violence have a firearm present. As I've said before on this topic, the StatsCan definition of firearm present could be a firearm in a safe or in another room or simply at the address of the incident. So what is the real number? How many licensed gun owners are threatening their partners with guns? Is it one-tenth of one-tenth of one per cent? Ninety-nine point nine nine per cent of gun owners are not involved in this type of behaviour, and our position is that they need not to be punished for the acts of a handful of people who are already breaking the existing law. No group of Canadians other than the millions of gun owners in this country is forced to wear the collective guilt for crimes committed by the very few.

Right now, if a woman feels threatened, she can call in a safety concern to the Canadian firearms program. There's a 1-800 number for that, and action is taken. Call your local RCMP detachment and tell them that your partner is threatening you with a firearm and see what kind of follow-up happens.

By the way, if the existing system is not working, then the answer isn't to create more regulations to not be implemented. If you truly want to make women safer, have resources to support women who are in abusive relationships. It's as simple as that. That is where resources need to be allocated. Bill C-71 doesn't make women safer, and if the government had a bill that did, we would be happy to support it.

Thank you, Mr. Chair.

● (1115)

The Chair: Thank you.

Mr. Bernardo or Mr. Torino.

Mr. Steve Torino (President, Canadian Shooting Sports Association): I'll start first.

Thank you, Mr. Chairman and members of the committee, for inviting us to appear before you today.

My name is Steve Torino. I'm president of Canadian Shooting Sports Association. From 1996 to 2006 I chaired the national advisory committee on firearms to the ministers of justice for the Liberal government. From 2006 to 2014 I chaired the committee for the Conservative government.

I'd like to start with some comments, please.

On the subject of lifetime background checks, as far as our members are concerned, it seems unnecessary and counterproductive to mandate verifications going back to an applicant's distant past, covering past job changes, relationship changes, long-past health issues, even school issues, etc., to determine an applicant's fitness to possess a licence. In 2016 there were over 406,000 licences issued, new and renewal, and 771 were refused, representing 0.018%. Most of these were court-ordered. A grand total of 36 were due to domestic violence. It seems clear that the five-year investigation framework in the current law is producing the desired results of screening out who should not have a licence. We believe that an investigation based on lifetime events will not produce additional tangible benefits. Licence revocations appear to follow the same trend.

Our concerns with the section dealing with lifetime background checks involve the criteria for the information being checked and the training of those who will check it. Are we being screened for any violence issues only? Do we have to divulge any time in our lives when we lost a job? The current questions ask for this for only the last five years. Does the information being collected actually matter, and when can we expect to see changes? What's the training for those people who will evaluate the information? Who actually evaluates the information? What training do they have to make judgment calls regarding an individual's suitability to own firearms? There's the lack of an appeal process. There's no answer to that, at this point. The additional time and costs associated with such investigations will be prohibitive. Such resources, in our opinion, would be much better utilized in other more needy areas, such as the pursuit of those criminals discussed in the minister's recent guns and gangs symposium.

On the subject of licence verification, the Bill C-71 requirement, minus the requirement for a reference number, is merely codifying existing practice. Firearms owners have been verifying licences before doing a transfer, without question. We have never heard of a case where that has not happened. However, the reference number requirement can and will pose some significant issues for compliance. Gun shows, estate sales where the executor does not possess a firearms licence, private sales in remote areas and at odd times without access to 24-7 services, and verification for any loaned firearm at any time come to mind. When current verification methods, diligently adhered to, have had positive results, the necessity of this new requirement seems another restriction on lawful firearms owners. This will have no effect on the criminal possession and illicit movement of firearms.

The licence verification process is basically a registry—not of guns, but of the activity of firearms owners. The proof of this is the multiple verifications done at the same time if more than one firearm is being transferred. If the purpose of this is to check and verify the firearms licence, why do both the seller and buyer have to enter their licences?

With regard to business records, as far as we're concerned, the requirement for detailed recording of all firearms transactions appears to be a return to the registry that was cancelled in 2012. When this is combined with the information required for a licence verification for individuals, it is remarkably close to the cancelled long-gun registry. That is something this government has steadfastly claimed will not happen, yet it appears to be returning to that.

On the subject of new classification categories, all existing classifications have a reason for being. For example, subsection 12 (3) is the category for converted fully automatic firearms. This is similar to all existing categories, from subsections 12(2) to (7).

What makes proposed subsections 12(11) and (14) so unique is that both categories prohibit currently legal firearms for no reason. Has the application of Canadian law gotten to this level that property can be confiscated without even the courtesy of a valid reason? Confiscation, in our opinion, is really what this is. At the time a person dies, if there's no one left to acquire this firearm, the government has to pick it up. There is no real means to give any compensation to the estate, to the widow, or whoever it happens to be.

I'll turn over the rest of this presentation to my colleague, Mr. Bernardo.

Thank you.

● (1120)

The Chair: You have a little more than five minutes.

Mr. Tony Bernardo (Executive Director, Canadian Shooting Sports Association): Thank you.

I'm Tony Bernardo. I'm the executive director of the Canadian Shooting Sports Association. I'm a member of the Canadian firearms advisory committee, from Anne McLellan to Steven Blaney continuously and a member of Anne McLellan's firearms experts technical committee.

I'd like to speak about the removal of the Governor in Council ability to declare a firearm to be non-restricted. The removal of the RCMP mistake eraser, the section of the Firearms Act that currently allows the minister to override a bad classification decision, implies that the RCMP has never made a mistake. It also implies the Government of Canada has never made a mistake. Our community wishes this were indeed true, but the RCMP has a long history of making mistakes regarding classifications.

One of the firearms currently being prohibited in Bill C-71 is the subject of a long history of mistakes made by the experts in firearms classifications. The CZ 858 rifle was initially brought into Canada in 2004. The RCMP experts gave it a classification of non-restricted. In 2014, after almost 10,000 rifles had been sold as non-restricted firearms, the RCMP changed their mind. They reclassified all the rifles sold between 2007 and 2014 as prohibited 12-3 converted fully automatic rifles, despite the rifles being absolutely mechanically identical to the 2004 to 2007 examples.

After the public safety minister of the previous administration corrected this regrettable action by the RCMP using the mistake eraser, Bill C-71 seeks to eliminate that they did not relent to the will of their political masters, but incorrectly interpreted an import identical to the models reclassified as non-restricted to be a new model because it had an image of a Greek warrior engraved on the receiver cover, a non-restricted part, similar to putting a racing stripe on a car. Mechanically, they were identical.

Not once, not twice, but three times the RCMP classified the same gun three different ways. When you thought it couldn't get worse, we now have the same firearm being classified as 12-11. According to the news release by Public Safety Canada, the new legislation proposes to "Ensure the impartial, professional, accurate and consistent classification of firearms as either 'non-restricted' 'restricted' or 'prohibited' - by restoring a system in which Parliament defines the classes but entrusts experts in the Royal Canadian Mounted Police (RCMP) to classify firearms, without political influence".

The RCMP experts said they were 12-3 prohibited, but now they aren't. Now they're 12-11. Since the guns didn't change, we have to wonder what the new classification is about. The answer to this is self-evident. To retain the firearms as 12-3 would mean they would have to be confiscated immediately, and it's politically unpopular to confiscate lawfully owned property. To confiscate lawfully owned property would require compensation be paid to the tune of $14.6 million. To grandfather existing owners into 12-3 would then mean that the new additions would be able to buy other 12-3s, and that wasn't popular either.

If the firearms were grandfathered in 12-3, existing owners would not be permitted to shoot them. That would also be politically unpopular, so the question is answered. Every single one of these points is based upon its politics. The CZ 858 is no longer a 12-3 like the RCMP experts claimed, nor the non-restricted firearm that the RCMP experts claimed before, but it's now a 12-11, as proclaimed by the current government. Since the guns didn't change, and the RCMP didn't change, it seems obvious the changes to 12-11 are solely politically based, the very issue Public Safety Canada claims Bill C-71 is intended to prevent.

If these firearms are as dangerous as is claimed, how come people have been allowed to keep them for decades? There are somewhere around 10,000 firearms. If they're that dangerous, why are the owners being allowed to grandfather them?

To close on this subject, why was the ability to restrict or prohibit firearms not removed? The minister could wield the power, but only in one direction, only to make it more restrictive, not to make it less so.

"Government should base their policies on facts, not make up facts based on policy. Without evidence, government makes arbitrary decisions that have the potential to negatively affect the daily lives of Canadians." That's a quote from the Liberal Party policy document used in the last election.

There is no proof that anything is wrong with authorizations to transport. There have been no incidents. Why are we now seeing these particular authorizations to transport hatcheted like they are?

● (1125)

Why can't people take the firearm to a gun store to sell it? They can bring one home from the gun store, so it's not the distance that's the problem. They can go from Cornwall to Kenora with 24 hours of non-stop driving, shoot in a match for a week, and then drive back. That's legal, but they can't take it across the road to the gunsmith.

In closing, I'd like to invite all of you to the parliamentary day at the range on June 5. It is a non-partisan event. There are no politics. There are no cameras. There's just a whole lot of information, and you get to try these firearms that you are currently prohibiting and compare them to other ones that are out there. We'd love to have you come. We have lots of one-on-one coaches. It's a very safe event. This is our seventh year, and it's open to all parties.

Thank you.

The Chair: Thank you, Mr. Bernardo.

Now we go to our round of questioning.

[*Translation*]

Mr. Picard, you have the floor for seven minutes.

Mr. Michel Picard (Montarville, Lib.): I want to welcome the witnesses and thank them for their testimony.

First I'd like to speak to the representatives of the Canadian Coalition for Firearm Rights.

You criticize the government's approach in putting forward a certain number of regulations and legislative provisions. You understand that this is a political process that responds to demands that also come from the population, and we understand that some people will not be in agreement with certain points. Several elements put forward in the bill were requested by citizens who are in fact demanding even more restrictive measures. At this stage, our challenge is to find a happy medium between those who want extreme controls and those who want a much less restrictive approach.

[*English*]

Mr. Rod Giltaca: If we could find something that enhanced public safety and wasn't just purely punitive or purely political, then we'd be glad to talk about it. Your assumption is that a great number of Canadians want more restrictive control, and I'm just not sure. Right now there is a petition to scrap the entire bill as punitive, and it's the second most signed petition in Canadian history. It's E-1608, and it has 75,000 signatures. If you had something else to show that there are really that many people who want restrictive gun control, we'd love to see it and have that debate.

[*Translation*]

Mr. Michel Picard: I am not making assumptions. I receive letters and emails on my computer, and people also come to speak to me in person. I don't think these are assumptions. We all have to acknowledge that there is a democratic process that allows people to express themselves, on both sides of the issue, including those who are on the side of your organization. There are people who are asking for measures that are diametrically opposed to the ones you are asking for.

● (1130)

[*English*]

Mr. Rod Giltaca: They certainly are asking for diametrically opposed measures. I would invite the Minister of Public Safety to come before the committee at some point and talk about all of the messages that he's received from gun owners and even people who aren't gun owners who just don't think that this bill is fair. I'm sure it would be in the thousands. I'm not sure if you've received thousands of messages asking for restrictive gun control.

Mr. Michel Picard: It may be more.

On your website, policy 15-4 on firearms registration says: "Rather than registering firearms, public safety is better served by regulating the people who seek to use them [...]"

Is that not one of the objectives of the provision requiring that transactions between purchasers and retailers be duly registered, so that we can identify the people involved in those transactions? Is that not one way of regulating the people who carry out such transactions, as you propose in your policy?

Mr. Rod Giltaca: Are we controlling the people involved in these transactions purely by the fact that they have a PAL, they have a licence. These are transactions among licensed individuals and these individuals are the most highly scrutinized people in our country. The police and the commissioner of the RCMP do not get a CPIC check every day. If the committee is not familiar with what constitutes a CPIC check, that is if the police pulled you over to the side of the road because you were suspected of committing a criminal offence, your name would be run through CPIC. That's what happens to us every single day. We are very highly regulated as it is. Now you want a registry of the transactions between these highly regulated people.

I think we all agree that the problem is gang shootings, and the problem is bad behaviour, maybe, in domestic situations. The gangs obviously are completely outside of this entire bill, they're not touched by any of this, but we all care about the domestic situations. If that's the situation and that person has a PAL, I assure you, that PAL is going to be gone in a heartbeat. I work with the police constantly and I work with the Firearm Centre, I'm an instructor in good standing. I assure you, if you called the Firearm Centre and said I'm being threatened with a firearm by my spouse, immediate action would be taken. If there weren't, then that's another problem. It's not legislation.

[*Translation*]

Mr. Michel Picard: I don't have much time left.

We are all aware of the violence perpetrated by gangs, and also of the devastating effects of family violence when firearms are used, which does not involve the members of armed gangs. We are all aware of the 56% increase in the number of break-ins for the purpose of stealing firearms, which may or may not involve gangs. I think that the issue of violence goes beyond the violence of gangs.

My next question is for Ms. Wilson.

Welcome. You proudly introduced yourself as a mother and grandmother. Congratulations. That is a beautiful achievement. Your groceries must cost more now that you have children in the family.

[*English*]

Ms. Tracey Wilson: I have two daughters and one grandson.

Mr. Michel Picard: They eat quite a bit.

[*Translation*]

Do you feel that your life is in danger or threatened when you go to the grocery store?

[*English*]

Ms. Tracey Wilson: I don't know when my life would be threatened, no.

[*Translation*]

Mr. Michel Picard: Is that why, in policy 15-10, you would allow anyone to carry concealed weapons in a public place, including supermarkets and malls?

You are more aware than I am of the lethal impact this type of device could have if it happened to be stolen by ill-intentioned individuals who could turn it against themselves or use it against the public in general.

[*English*]

Ms. Tracey Wilson: If you read the policy, there are provisions within it. We do believe when somebody has been licensed, vetted, and properly trained to carry, they should have that right. We're not talking about everybody, everywhere. Yes, there are people who are hurt at grocery stores and all kinds of places. Is it something we actively lobby for? No. It's our official stance on an issue regarding the firearms file.

● (1135)

The Chair: Thank you.

Mr. Motz, you have seven minutes please.

Mr. Glen Motz: Thank you, Chair, and thank you witnesses for being here today.

I'll start with the CCFR first. Ms. Wilson, you indicated that domestic violence is an issue, and as a woman before us, can you tell us whether this legislation actually provides protection to women in abusive relationships?

Ms. Tracey Wilson: There's nothing in this legislation that even touches on that. In fact, under the current system, we've got a very robust plan for women who could be feeling threatened by a partner who owns a firearm. There are already programs in place. Nothing in Bill C-71has anything to do with the protection of women.

Mr. Glen Motz: Right, and if you recall, under the previous government there was legislation in place that revoked the licences for those individuals and prohibited them from obtaining firearms if they were ever convicted of domestic violence.

Ms. Tracey Wilson: That's correct.

Mr. Glen Motz: With an interest in protecting Canadians by keeping firearms away from those who are dangerous, sir, do you see any provisions in this legislation that will do just that? Are there provisions to keep firearms out of the hands of gangs, criminals, those among us who are violent, and that will actually do what this bill purports to do, which is to protect public safety, to increase public safety?

Do you see anything here that will protect public safety?

Mr. Rod Giltaca: There's nothing in the bill that will affect the behaviour of criminals. The only measures we see in the bill are measures to affect the behaviour of licence-holders. That's a concern because we all want a safer Canada and if there was something in the bill that would help that, we would be for it.

Mr. Glen Motz: Mr. Bernardo, you spoke briefly—or one of you did—about the new licence verification process. It simply means to check the validity of a purchaser's licence. Why does each specific transaction for each specific firearm require its own specific verification number, and why would that number expire?

Mr. Tony Bernardo: This is very significant, Mr. Motz. Thank you for asking this because, you see, the licence verification requires that it happen for each firearm. If I'm selling you a firearm, we go through this licence verification thing. If I'm selling you three at the same time, we have to do it three times. Does this start to smell like a registry? It is. It's a registry of the activity of firearms owners because, quite frankly, it doesn't really matter what non-restrictive firearm you have as much as it matters how many you have. This is exactly what this is about. If it's only a simple licence verification and I sell a firearm to my friend Mr. Giltaca here, I should only have to put in his licence number to make sure it's okay, but now we put in both and then get a government approval to do the transaction, which is recorded. However, if I sell him three guns, we have to do three at the same time. That's not a licence verification. Sorry.

Mr. Glen Motz: I guess I have two full questions. You've expressed very definitive concerns with the RCMP, its classification, and the mistakes that have been made in the past. I'm sure the members of both of your associations are concerned about unelected individuals being responsible for taking property away, or for prohibiting and changing things without really any oversight or any repercussions for that. Given the concerns you've raised, how would you suggest that the classification process be managed and properly focused now to deal this with moving forward? If we're not doing it right in this bill, how would you suggest we do it? I'll ask both organizations to comment on that.

I'll start with you, sir.

Mr. Tony Bernardo: Okay. I would suggest a panel of experts, not just the RCMP. The RCMP has a vested interest in doing what it does, but there are other expert opinions, and many of them are more expert than the RCMP by a considerable margin. They should have input into this process. Then when a decision is made, people act on that decision. They act in good faith that the government has advised them correctly. There needs to be some kind of protection for those people.

Mr. Rod Giltaca: And the law itself has to be far more clear around how firearms are classified. Right now, the laws are an absolute mess, especially with the use of undefined terms like "variant"—we know that that's an issue—"easily converted", or "converted full autos". These are excuses to prohibit almost anything. The law itself has to be gone through and clarified in such a way that there isn't ambiguity. The ambiguity is the real problem.

● (1140)

Mr. Glen Motz: We've heard from our Liberal colleagues that this bill is in no way a long-gun registry or that in no way will we ever get to that ever again. However, it requires as condition of a business licence, as we know, the maintenance of certain personal information —they kept that without being codified to—information very similar to what was required to be kept in the long-gun registry. Can you explain how this requirement to keep information will interface with section 102 of the Firearms Act, and will government inspectors be able to examine and copy the backdoor gun register data?

Mr. Tony Bernardo: The answer is clearly yes. Section 102 of the existing Firearms Act gives the inspector access to any record to copy or duplicate, access to electronic records, everything. An inspector could walk into a gun store right now today and say, "I want all your records." This doesn't change that. There's no amendment to section 102 in this, so inspectors would still be able to do the same thing.

The other thing that should be considered, too, is that right now the records belong to the dealer. As of the passage of Bill C-71, the records belong to the government. Even though the ministry of public safety is saying that, no, they don't, I will challenge that because when the gun store closes or if the owner dies, all the records are forfeited to the federal government. All the fields that have to be filled out are mandated by the federal government. No mistake, these are federal records.

The Chair: Thank you.

Mr. Dubé, you have seven minutes, please.

Mr. Matthew Dubé: Thank you all for being here today.

At any rate, we were just talking about the shopkeeper records. I'm wondering about this notion that the records will go back to the federal government in the event that the person dies, the business goes bankrupt, or whatever scenario we can see—and perhaps we'll hear from both organizations on this. My understanding is that's currently the law in the U.S. Not only that, in the U.S., I believe they keep the records indefinitely, whereas C-71 is a 20-year period.

I don't know how familiar you are with the situation in the U.S., but is that the case in the U.S. as well?

Mr. Tony Bernardo: Yes it is. Are we now going to model our gun laws after the U.S.?

Mr. Matthew Dubé: No, not at all, I'm just—

Mr. Tony Bernardo: Because clearly, they have some that aren't working, so let's flip this back around.

Mr. Matthew Dubé: I'm certainly not purporting we model our laws after them, I'm just wondering, when we're talking about handing over that type of information, it being portrayed as a backdoor registry, I somehow feel that Americans don't believe...do they believe that's some kind of registry for them?

Mr. Tony Bernardo: Yes, they do. When they go to a store, and they have to do the ATF forms and the waiting periods and everything that most people don't know they have to do, yes, they view it as a registry, that ATF is collecting this data, which of course, they are.

Mr. Matthew Dubé: My assumption and a layperson's assumption, and so I look to you folks.... I've heard the minister say this, and I'm assuming it's correct to say that most reputable businesses would engage in this practice already.

Mr. Tony Bernardo: Absolutely. Of course they do warranties and things like that, but those records belong to the business, not the federal government. That's the difference.

Mr. Matthew Dubé: Okay, and given that it would have to be obtained via warrant, what's the difference between—

Mr. Tony Bernardo: It doesn't have to be a warrant. I just explained that section 102 allows a chief firearms officer inspector access to the records anytime, 24-7. They can walk in the store and say, "Let me see the records."

Mr. Matthew Dubé: For the purposes of ensuring that the records are being kept—

Mr. Tony Bernardo: For the purposes of whatever they want. There are no purposes defined. They walk in and say, "We're photocopying every single record you have. We're taking your computer with us." They can do that now.

Mr. Matthew Dubé: My understanding is, according to the Firearms Act, the CFO already has that power, is that correct?

Mr. Tony Bernardo: That's what I'm saying, yes. They can do that. There's no—

Mr. Matthew Dubé: If the CFO already has that power—

Mr. Tony Bernardo: Right. Then how can you tell me they need a warrant? They don't need a warrant.

Mr. Matthew Dubé: In other words, then, under, for example, the previous government, when legislation was passed to remove the long-gun registry, among other things, C-42 as well, related to ATTs, nothing was ever done to eliminate the CFO or those powers that are prescribed in the Firearms Act.

● (1145)

Mr. Tony Bernardo: That's not true. In the original long-gun registry bill, there was a regulation passed by former minister Toews who ordered the CFOs to destroy the ledgers, those were the green books that all the firearms information had been written down in. They were ordered to destroy all the long-gun registry information.

By the way, that happened in one gun shop in Canada that I'm aware of. In every other one, the CFOs ignored it.

Mr. Matthew Dubé: For the sake of clarity, that would be regulation in order to comply with the legislation destroying the registry, but it doesn't actually eliminate the CFO's power to—

Mr. Tony Bernardo: No.

Mr. Matthew Dubé: —go into a.... Okay.

I'm sorry, I'm talking to Mr. Bernardo; I don't know if you folks had anything to add.

I have another question, and again, forgive my layperson's understanding of it as I'm not a firearms owner myself. Right now, when a verification is done for a restricted or prohibited firearm, that confirmation number or registration number—I'm not sure of the technical term—is provided to show that the PAL verification was done. Is that number essentially just used afterwards to get confirmation that the transaction is permitted? Is that number basically like ordering something online and if something goes wrong, I have my confirmation number to confirm that I really bought it?

Is that the only purpose that number serves, or is there some other purpose?

Ms. Tracey Wilson: Restricted and prohibited firearms are registered—that already exists. Now we're having non-restricted firearms also be registered, which is a registry. Nobody is debating that restricted and prohibited are registered. There is a registry for that. We're going to add non-restricted to that registry.

Mr. Matthew Dubé: Respectfully, could you just help me out here? I want to make sure that I'm understanding. Is there not a difference between the number that shows that the PAL verification was done and the registration certificate—

A voice: Yes, there is.

Mr. Matthew Dubé: —so the bill is dealing strictly with the reference number to say that the verification was done versus actually giving a registration certificate and forcing that firearm to be registered.

Mr. Tony Bernardo: That's right, but it's not a verification number. It's a transfer authorization number because, on restricted and prohibited firearms, every time there's a transfer, there is an investigation into the individual. Then the transfer authorization number is issued saying that the transfer has been completed and this is the reference to the background checks and everything. Then there is the actual registration number, which is a different number. They are all different from the serial number.

Mr. Matthew Dubé: Okay. You mentioned the example that if you're selling three firearms to a friend, a family member, or whatever, you'd have to do the verification three times for three different numbers.

Mr. Tony Bernardo: That's correct.

Mr. Matthew Dubé: If the legislation, for example, said that it would be a verification per transfer instead of the number of firearms, is that something you'd be open to?

Mr. Tony Bernardo: Thank you, Mr. Dubé. You have hit the essence of this. There is a separate number issued for every transaction of non-restricted firearms. They are being treated exactly the same as restricted and prohibited. The only difference is that there is no paper certificate being issued, but there is an electronic one and it's that verification number. This system is being morphed into a de facto long-gun registry.

The Chair: Thank you.

Mr. Fragiskatos, you have the floor for seven minutes, please.

Mr. Peter Fragiskatos: Thank you for being here.

I want to pick up on a question that my colleague, Mr. Picard, asked about carry and conceal. This question is for you, Mr. Giltaca. I noted on your website, you talk about gun possession as a right. I wanted to just look at that for a moment. You talk about the merits of carry and conceal—actually before I go on, I take it that because gun ownership is a right, it therefore justifies carry and conceal. On your website, it's mentioned that one of the benefits of carry and conceal is the defence of property. To me, that says that's a public safety concern, and from that I take it that you think carry and conceal is a way to increase public safety.

You are nodding, so I take that to be yes.

In light of what's been taking place in the U.S. in recent months... and years in fact, Canadians are very concerned about school shootings. This is top of mind for many parents in our country. I wonder if you would favour teachers being armed in a classroom, as a way of ensuring school safety.

● (1150)

Mr. Rod Giltaca: I'm not sure what part of your question has to do with Bill C-71.

Mr. Peter Fragiskatos: I just want to understand where the approach you are taking to this issue is coming from and how you view gun ownership, since this bill does relate to gun ownership.

Mr. Rod Giltaca: Well, I'm happy to talk about your philosophical question. In Canada, apparently, it's been determined that no one has a right to own a firearm and we understand that.

Mr. Peter Fragiskatos: It's more of a privilege.

Mr. Rod Giltaca: Yes, it's more of a privilege and we understand that there's—

Mr. Peter Fragiskatos: Your website says that it's a right. I don't mean to interrupt you, but I only have a few minutes.

Mr. Rod Giltaca: There seems to be a lot of confusion around this, but we acknowledge that there's a system in Canada for regulation and, if you look at us, as a group, we don't object to the licensing system. We take a lot of heat from gun owners for that, but we're saying, as responsible gun owners, there's a lot of debate about that, whether licensing has any relationship to public safety. We do have one peer-reviewed study that says there is no demonstrable relationship, but we see that the public has a few concerns including: that people prove minimal level of competency before buying a firearm; that we want to make it more difficult for people who have mental problems to source firearms; and that we want to make it more difficult for criminals to source firearms. The licensing regime covers all of those concerns, so our group basically says that everything else that doesn't have a demonstrable effect on public safety needs to go or there should be some compelling evidence to show that it needs to be in place.

If they're not criminals, we think that people should be able to have firearms. We don't believe they should be stopped from that.

Mr. Peter Fragiskatos: The RCMP says that 80% of killings that are carried out with a firearm relate to suicide. This bill aims to strengthen background checks to ensure that mentally ill individuals can't have access to firearms.

This is a problem right now. As you know, it's under provincial authorization, under the chief firearms officer, to decide whether or not a firearms licence can be given out. There have been many reports throughout the country that mentally ill individuals have been able to access firearms. They have struggled with these challenges throughout their lives and have disclosed this in their application, yet they're still given a firearm. That's very concerning.

As I say, I have limited time, but I did want to ask this question. Again, this comes straight from your website: "Obstacles to hunting need to be removed, including restrictions on the types of weapons used for hunting." With that in mind, do you believe that the AR-15 should be reclassified as a non-restricted hunting rifle?

Mr. Rod Giltaca: Yes.

Mr. Peter Fragiskatos: I'm not one—

Mr. Rod Giltaca: [*Inaudible—Editor*] semi-automatic rifle and that's why.

Mr. Peter Fragiskatos: —for props, but I did look up the AR-15.

Mr. Rod Giltaca: Okay.

Mr. Peter Fragiskatos: This is it, as shown here.

Are you aware of the history of the AR-15 and what it was originally used for?

Mr. Rod Giltaca: Yes, absolutely.

Mr. Peter Fragiskatos: You know that it was used for military purposes. It was developed in the 1950s and then purchased by the United States military and used in Vietnam for obviously military lethal purposes. Does someone need this to go and hunt a deer?

Mr. Rod Giltaca: I'm curious as to whether it's the look of the firearm that offends you or the lethality. Which is it that bothers you the most?

Mr. Peter Fragiskatos: I'm not offended, but I think that from a public safety perspective this is very, very critical.

In fact, I mentioned school shootings at the outset. Canadians are very concerned. The AR-15 was used in the Las Vegas slaughter of 58 people last October; the Sutherland Springs, Texas, church shooting that claimed 26 lives in November; the Pulse nightclub shooting in Orlando, Florida, that claimed the lives of 49 people in 2016; the San Bernardino, California, shooting that killed 14 people in 2015; and, the Sandy Hook Elementary School shooting in Connecticut that took the lives of 27 innocent children.

Here's another point that I think merits our consideration. Let me show you this: the CZ 858. I heard my colleagues say that I'm citing instances from the United States. You want this back, right? Under this bill, it now would move towards being prohibited.

Mr. Tony Bernardo: That's a restricted one, by the way.

Mr. Peter Fragiskatos: This was used by Alexandre Bissonnette in the mosque shooting in Quebec City. It would have claimed many more lives had the gun not jammed.

At any point, have you considered what this means for public safety with these positions that you are taking on these matters? What Bill C-71 is for me is a clear example of how we can strengthen safety in Canadian society. What you're telling me and the committee, in effect, is that all of these positions that you have on carry and conceal, on understanding gun ownership not as a privilege but as an absolute right, on the AR-15 and your positions on that.... I wanted to ask you about bump stocks, but I'm not going to get an opportunity—

● (1155)

Mr. Rod Giltaca: I didn't say that carrying a firearm was—

Mr. Peter Fragiskatos: Your website says—

Mr. Rod Giltaca: —an absolute right, just a right.

Mr. Peter Fragiskatos: You said that the possession of a firearm is a right.

Mr. Rod Giltaca: You said "absolute right" just now.

Mr. Peter Fragiskatos: Your position on certain issues like carry and conceal says to me it's an absolute right. I mean, you might not say it—

Mr. Rod Giltaca: Did I say it was an absolute right? I'm pretty sure—

Mr. Peter Fragiskatos: You say it's a right and then you talk about carry and conceal. That sort of vision of Canada that you have does not line up with where most Canadians are on these issues.

Mr. Glen Motz: I have a point of order, Mr. Chair.

The Chair: Before we go to the point of order, Mr. Fragiskatos is out of time.

This is an important debate. In some respects, it is the debate.

Mr. Fragiskatos is out of time. Do you still wish to go to your point of order or do you want Mr. Calkins to have the last four minutes?

Mr. Glen Motz: No.

Mr. Blaine Calkins: Thank you, Chair.

For clarification, Mr. Giltaca, what would be the difference between an AR-15 owned in the United States and an AR-15 owned in Canada?

Mr. Rod Giltaca: There wouldn't be a difference. They're essentially the same rifle, but the problem is that the AR-15 is functionally equivalent to millions of other rifles that are available in Canada. If someone is going to commit a crime with a semi-automatic rifle, they have their choice. Why is it just the AR-15, for some reason, that bothers people the most?

Mr. Blaine Calkins: What's the difference between the magazine capacity legislation in Canada and the United States?

Mr. Rod Giltaca: In Canada, we have magazine capacity restrictions for a centre-fire semi-automatic rifle or shotgun. That's five rounds. In the United States, typically they don't have magazine capacity restrictions, other than in a few states.

Mr. Blaine Calkins: Are you aware of any province in Canada that would allow a .223 for the hunting of deer?

Mr. Rod Giltaca: The .223s are used constantly for hunting deer.

Mr. Blaine Calkins: They aren't in Alberta; it's illegal. That calibre is actually illegal. This is a sport shooting firearm, for the most part, I would argue, and so would you, but there are significant differences in the way the legislation handles those firearms in Canada and in the United States. That is the difference, and that legislation is already in place.

Mr. Bernardo, when the minister was here, he spoke about gun shows, and so did the bureaucrats. They would require a heads up in order to process...because of course the bureaucracy works Monday to Friday from nine to five, most of the time, and of course the gun shows happen on the weekends.

Do you have any concerns about the capacity for unlawful transactions to occur outside normal business hours of the Government of Canada?

Mr. Tony Bernardo: We have lots of concern about the ability of the government to process the transactions, and not just in the gun show area. As Mr. Torino mentioned, what about estate sales? Somebody dies, the executor brings in 20 or 30 or 50 guns that need to be transferred, but they can't transfer them because they don't have a firearms licence.

How do you transfer them? You have to put the seller and the buyer in. Now, therefore, we have a gigantic log jam.

What about when you're dealing with places in the great white north, where there are no abilities to do this electronically? How do you do the verification process then?

There are all kinds of holes in this. You could drive a truck through them.

Mr. Blaine Calkins: In one case, Minister Goodale indicated that if you were willing to use the website there would be an automatic approval of a transaction. What does that tell you about the actual intent of the process for the transaction?

Mr. Tony Bernardo: It's to register it, nothing more than that.

Mr. Blaine Calkins: My question is to the CCFR.

I asked Minister Goodale to elaborate, because in his words he said that the purpose of some of this legislation is to pursue the source of the crime for those lawful firearms that are stolen and then used subsequently.

What would Mr. Goodale's purpose be in saying that he wants to be able to trace—of course, he'd have to trace those records against the registry—back to the source of a lawful sale and get to the source of the crime? What does that mean to you?

Ms. Tracey Wilson: I'm not sure how tracing it to the source of the original owner or purchaser helps, if it has been stolen. It still doesn't direct you to where the crime happened. It's just a registration of the transactions that happened between licensed gun owners.

Mr. Blaine Calkins: Thank you.

Mr. Zimmer, do you have any questions to follow up?

The Chair: If he has, he has 30 seconds.

Mr. Bob Zimmer (Prince George—Peace River—Northern Rockies, CPC): I just want to ask Mr. Torino one quickly.

You talked about having formerly had a role, and it was the same with Mr. Bernardo, on the Canadian firearms advisory committee, one that crossed party lines.

Can you go into your history? One thing we've seen is a polarization and a politicization of this argument, but this was a good example of taking the politics out of decisions made around firearms.

Can you speak to that, Mr. Torino?

● (1200)

The Chair: Do it in a little less than 10 seconds.

Mr. Steve Torino: As I said, I chaired the committee for ministers of justice from 1996 to 2006 for the Liberal government and for the next nine years for the Conservative government. Whether our policies were all accepted or not, our credibility was completely accepted, because we never told any stories. We based everything on StatsCan, on current events, and always told the truth, as our colleagues here do also.

I think that's the main item we should take a look at: the credibility of the witnesses who come and of the statements they make. The firearms community has proven itself since the beginning of Bill C-68. The daily check of our licences is probably proof of this more than anything else.

The Chair: Thank you, Mr. Zimmer, and welcome to the committee. Your great talent has shown that you can squeeze a minute out of 30 seconds.

We will suspend for two minutes and repanel. Thank you all.

● _____ (Pause) _____ ●

The Chair: We're back.

We have one witness out of two, which is unfortunate. We're trying by some technical means or other to get Firearms Instructors Association Canada, Mr. Nielsen. In the meanwhile I'll ask Ms. Cukier.

You have 10 minutes, please.

Ms. Wendy Cukier (President, Coalition for Gun Control): Thanks very much. My name's Wendy Cukier and I'm the President of the Coalition for Gun Control. I appreciate your giving me the time to appear before you today.

I have provided a brief in both French and English. Rather than walking through the entire document, I'd just like to highlight a few key points.

The first point that is important to emphasize is that the Coalition for Gun Control was founded in 1991 and is focused on reducing gun death, injury, and crime. I say that because, as many of you know, when we look at the misuse of firearms it extends far beyond gangs and guns. Certainly, gang-related violence is a problem in big cities, but as you will have heard from many groups focused on domestic violence, the role of firearms in domestic violence is a huge issue for women's shelters across the country.

You've heard from the Canadian Paediatric Society that the misuse of guns has a particular toll, not just in terms of death but also injury. From groups like the Canadian Public Health Association, the Canadian Association of Emergency Physicians, and others, you've heard that the number one cause of firearms death in this country is actually suicide. From our perspective, strong and effective gun control regulation is a critical part of a crime prevention strategy, but it's also a critical part of a suicide prevention strategy, and of any strategy that is attempting to address issues around violence against women, or indeed radicalization and political violence. How we define the issue is important.

Many Canadians take pride in the fact that the rates of gun injury, death, and crime in Canada are much lower than in the United States. It was ironic that we saw Canadians across the country join in solidarity with the March for Our Lives in the U.S. to ban the AR-15 there, yet we've just heard that in Canada it's sold as a restricted firearm. Many Canadians don't know a lot about how our gun laws actually compare to those in the United States. They certainly don't know that currently most U.S. states have better controls over the sales and traceability of rifles, shotguns, and unrestricted weapons than we now do in Canada. Most Canadians, when asked, support stronger gun laws. We've provided a recent poll in the brief, but the polls are consistent.

What's also interesting is that this is without question a gendered issue. While polls will show that the majority of gun owners may oppose certain kinds of firearms regulation, the majority of people living with gun owners support them. In those very rural communities where people are very concerned about the opinions of gun owners, it's important to underscore the fact that there are many people living with gun owners who actually support stronger gun laws. The gender splits on this issue are quite clear.

The other thing that is important to emphasize is that in much of the discussion around firearms control, it has been presented as an urban issue, with the elites imposing their will on law-abiding gun owners in rural areas. However, if you actually look at the data, the rates of gun death and injury in rural communities in the west are much higher than in the cities. Rates of women and their children being threatened with guns in domestic violence are higher in rural areas. Rates of suicide, particularly among youth, are higher in rural areas. The rates at which police officers are shot and killed are higher in rural areas and in the police services that operate there. The guns that are typically used in those environments are rifles and shotguns, which are currently sold as unrestricted weapons.

● (1205)

The other piece that I think we need to be attentive to just as background to this issue is the sources of guns that are misused. When we look at rural communities, when we look at the west, when we look at, for example, Alberta, Saskatchewan, Manitoba, Yukon, and so forth, what you will see is a predominance of unrestricted rifles and shotguns, especially in domestic violence, suicide and the murders of police officers, and many of those guns are legally owned.

On the other hand, when we look at gang-related violence in big cities it's no surprise that handguns are the firearms most often used. One of the very troubling trends that we have seen in recent years, which we would say is a direct result of the relaxation of controls over the sales of firearms, and particularly restricted and prohibited weapons, is, first of all, a doubling of restricted and prohibited weapons. There are now more than a million in Canada. They're supposed to be restricted and prohibited because they're considered to represent a greater risk than other sorts of guns. But the other phenomenon, which you may have heard about from other witnesses, is that for the first time in 30 years more of the firearms recovered in crime in Toronto that were traced were traced back to Canadian sources, rather than smuggled in from the United States. That's largely a function of the fact that it's easier to get guns now in Canada and so there's less demand for smuggling.

The Illegal Firearms Task Force from British Columbia, which I'm sure many of you saw, has reinforced that the same thing has happened in British Columbia among the firearms that they have traced. I think it's worth emphasizing that the diversion of legal guns has become a much bigger problem. I want to quote from this and read into the record:

> Over the past three years in B.C., however, approximately 60 per cent were sourced in Canada, according to data from the National Weapons Enforcement Support Team (NWEST). NWEST attributes this trend to changes in firearms legislation in states such as Washington and Oregon requiring recordkeeping at the point of sale for all firearms, which allows tracing to identify a purchaser.
>
> In Canada, there is no national legislation to require record keeping for sales of nonrestricted firearms. Unlike many American states, sellers need not keep any records of sales of non-restricted firearms. Purchasers can re-sell, trade or give away a firearm without keeping records. Without sales records, crime investigators often cannot trace the ownership of crime guns.

I think it's critically important to remind people, and I know you know this, that when the registry was dismantled, the registration of rifles and shotguns was dismantled, the 1977 legislation, which required restricted weapons to be tracked by dealers, was not reinstated, in spite of cries from police and particularly conservative witnesses who came before the committee.

There are three amendments that we are hoping you will consider. One is with respect to licensing, ensuring that the provisions are broad enough to address the intent, which is that a person is not eligible to hold a licence if it is desirable in the interests of the safety of that or any other person, meaning suicide prevention is supposed to be one of the measures considered in the licensing provision. We would like a (d) section added to the list that says, is considered a threat to themselves or any other person.

The second revision is with respect to the record-keeping. I refer to the table at the back and the 1977 legislation. We would like to see added, "The business must produce the record and inventory for inspection at the request of any police officer or police constable or any other person authorized by regulations", etc.

I think returning to the legislation from 40 years ago is a small price to pay. It would bring us in line with the legislation in the United States, and no matter what people say it is not a reinstatement of the registry.

The final point is that previously the authorizations to transport were restrictive, in that they said you were authorized to take your firearm from two or more specified locations, i.e. your home, to a shooting range. The legislation that was introduced a few years ago changed that to require that you be authorized to take the firearm to any shooting club in the province where you're resident. There are shooting clubs in every community. That, in fact, is carte blanche to be transporting the firearm.

● (1210)

Thank you very much. There are some other matters I can discuss with you as well.

● (1215)

The Chair: I'm sure you will be able to work them in during the question and answer session.

Our second witness cannot be contacted so we will go to the question-and-answer session. Colleagues, I want to reserve a minute for committee business at the end of our questioning.

With that, we have Ms. Dabrusin.

Ms. Julie Dabrusin (Toronto—Danforth, Lib.): Thank you for coming and presenting to us today.

I found the contrasts we heard between the two panels interesting. I was looking at the materials you gave to us. You specifically address in here domestic violence as one of the issues.

In our previous panel we had also discussed domestic violence briefly. One of the issues that came up is we were told that a woman who had felt threatened by a person who had a gun in their household could report it, and that would resolve the issue. That would be a quick resolution.

Could you talk to us about why a woman who's feeling intimidated by the presence of a gun in her household in a domestic violence situation might not feel able to immediately report that?

Ms. Wendy Cukier: I am not an expert in domestic violence, and I know you have had requests from a number of front-line shelters to appear before the committee, and they could answer this better. Obviously, when women feel threatened in the environment, they are not likely to report. Often there are economic issues. Often there are concerns that police can't protect them.

There is another thing, I think, that is important to remember. While taking guns away from someone after there's a threat is, of course, really important, and that's why we have prohibition orders and so on, we want to prevent people who have a history of risky behaviour from having access to firearms in the first place. That was the intent of the screening processes, and specifically the spousal notification measures that were introduced with the previous legislation, and still exist.

The problem I see currently is the way in which this is being framed, police often take things very literally. If the focus is entirely on cases where there has been a conviction, or a formal complaint, or someone has been confined to a mental hospital, you're going to miss a lot of the risk factors that we know often don't make it into formal systems.

Does that answer your question?

Ms. Julie Dabrusin: It does, and I appreciate that.

Following up a bit on what you just said, one of the witnesses in the previous panel—I believe it was Mr. Torino—challenged removing the five-year limit on background checks. I believe in the testimony we just heard there was a statement that there was no tangible benefit to removing the five-year limit on a background check.

Could you speak to that? What would be the benefits of removing that five-year limit?

Ms. Wendy Cukier: There are certainly people I have spoken to.... In fact, I believe a women from Mr. Holland's riding whose daughter was shot and killed said specifically that this provision would have made a difference.

I should have said this at the outset. The Supreme Court has said repeatedly there is no right to own guns. The United Nations has said we have a right to be safe, and states that do not properly exercise their responsibility to keep their citizens safe from firearms violence, particularly women and children, are not exercising their duty.

I think it's really a question of where you're putting your priority. What is the downside of opening it up for 10 years? It doesn't mean that automatically because you had a marijuana conviction when you were 16 years old that you'll never own a firearm, but it signals that the police have the discretion that the opening clause of the licensing provisions wants them to have. It says, "A person is not eligible to hold a licence if it is desirable, in the interests of the safety of that or any other person, that the person not possess a firearm".

The risk factors that might make it undesirable for someone to own a firearm don't necessarily have a time limit on them.

● (1220)

Ms. Julie Dabrusin: Thank you for that.

That was helpful with regard to what someone said about the contrast with the right to be safe, as identified by the UN.

Which document is that in, by the way—about the right to be safe?

Ms. Wendy Cukier: It's *Freedom from Fear*.

You know, the Declaration of Human Rights talks about freedom from fear. It does not talk about the right to bear arms. Our Supreme Court has said repeatedly that there is no right to bear arms.

The U.S. rhetoric, which has framed a lot of this debate in Canada, is very troubling.

Ms. Julie Dabrusin: I have just over a minute.

Right when you were finishing up, you said there was something else you wanted to raise. I was wondering if I gave you that minute....

Ms. Wendy Cukier: The AR-15 was prohibited in the United States under the U.S. assault weapons ban. The only reason it didn't make it to the prohibited list was that there was advocacy by the Dominion of Canada Rifle Association, which wanted to be able to use it for target shooting.

I did a report on this. It's 10 years old now, but if you look at most industrialized countries, they do not let civilians have the AR-15 because it's generally recognized as having enough characteristics of military weapons that most countries don't let civilians own them at all.

Ms. Julie Dabrusin: Okay. Thank you for that.

The last piece is that on previous panels concern has been raised about the RCMP handling the classification of firearms. I was wondering if you had a position.

This bill would remove the Governor in Council being able to intervene with RCMP decisions.

Ms. Wendy Cukier: The intention with the classification of firearms and restrictive and prohibited weapons was very clear. It said that the orders in council could be used to prohibit weapons not reasonably used for hunting. I remember a member of Parliament saying that they needed a large-capacity magazine and a semi-automatic AK-47 because they were not a very good shot and there were gophers in their orchard. It's on the record.

I think we have to strike a balance. I think people recognize the risks associated with military weapons. Eighty per cent of Canadians want them banned completely, and sixty per cent want a ban on handguns. We have to look at utility and risk. The average farmer does not need an assault weapon or a handgun.

The Chair: Thank you, Ms. Dabrusin.

Mr. Motz.

Mr. Glen Motz: Thank you, Chair.

We heard at a gangs and guns summit that the Minister of Public Safety put on in March, hosted here in Ottawa, that the top issues were gangs, organized crime, and, to a lesser extent, people making what they call straw purchases, in which someone with a legitimate PAL will buy firearms and then give them or sell them to the criminal element.

In your opinion, what are the root causes of the gun issues, the gun violence, that we have in Canada?

Ms. Wendy Cukier: As I said at the outset, when I talk about gun violence, I use the World Health Organization's definition of gun violence, so that doesn't restrict it to urban gang violence. It includes domestic violence. It includes suicide. It includes political violence.

I think if you recognize that gun violence includes all of those things and you take a public health perspective, you have to look at root causes. For root causes of gang violence, there's lots of research that talks about the impact of disparity and lack of social capital and age and drugs and, and, and.... We know that.

We know that when it comes to suicide, there is a whole set of risk factors.

When it comes to domestic violence, there are others, as there are with political violence.

We would not say for a moment that gun control is a panacea. Those factors have to be addressed. We also know from the research —and this is pretty universal—that when you restrict the availability of the instrument, i.e., the firearm, you reduce the chances that an assault will become a homicide.

I've read from the B.C. Task Force on Illegal Firearms, which feels that controls over the sales of firearms are absolutely fundamental to stemming the flow of legal guns to illegal markets, because every illegal gun started as a legal gun either in Canada or in the United States. It would be nice if we had a wall, but we don't, so the flow of smuggled guns remains a problem.

We need to do everything that we can to prevent legal guns in Canada from being diverted. The ability to trace firearms by keeping records of sales is fundamental to reducing the flow. We also need better support for policing. We need support for victims of violence to reduce their revictimization and to break the cycle of violence.

There aren't easy solutions to complex problems like gang violence, but stricter controls over firearms are certainly an important part of them.

● (1225)

Mr. Glen Motz: In your opinion, does this bill address those complex issues? Obviously not, but does it do anything to deal with the gang and gun violence we have in this country? The increase in the homicides have been predominantly gang-, gun-, and drug-related. Does this bill deal with any of those issues?

Ms. Wendy Cukier: It increases the controls over the sales of unrestricted firearms. Remember, sawed-off shotguns start as shotguns. Remember, also, that we have seen lots of cases of the misuse of unrestricted firearms, because they are easy to get. Right now many cases are cited by the police and NWEST of the diversion of unrestricted firearms as well as restricted firearms. That's one measure.

Mr. Glen Motz: It doesn't take an expert in firearms to realize that this bill really targets licensed gun owners. It does nothing to deal with those who would acquire firearms illegally and use them for a criminal purpose.

Ms. Wendy Cukier: Most gun owners are law-abiding, but the problem is that some sell their guns illegally, some don't store them properly, and some use them to shoot people when they probably shouldn't.

Mr. Glen Motz: Are you saying that PAL owners do that?

The statistics don't support that licensed gun owners are predominantly criminal.

Ms. Wendy Cukier: I didn't say "predominantly" at all. Sorry, maybe I misspoke. I said that most licensed gun owners are law-abiding. However, it only takes a small percentage of them who are not law-abiding to create problems. It's just like most youth are law-abiding, but a small percentage of them are not.

Part of the solution—just to say it one more time—to reducing different forms of gun violence is to prevent the misuse of guns by legal owners as well as to prevent the diversion of legal guns to illegal markets. I've published on this.

Mr. Glen Motz: Having said that, does this bill do that?

Ms. Wendy Cukier: Yes, it does, because it reintroduces the controls on sales that were eliminated.

Mr. Glen Motz: By your own testimony, then, you feel that this is the stepping stone for a registry.

Ms. Wendy Cukier: No, because we had—

Mr. Glen Motz: Then, how do you control them?

Ms. Wendy Cukier: We had legislation that was introduced by Pierre Elliott Trudeau in 1977, and I've included it because I undertook an archeological exercise.

That legislation said, "Every person who carries on a business that includes the manufacturing, buying or selling at wholesale or retail, importing...keep records of transactions entered into by him"—because there was no gender neutrality then—"with respect to such weapons or firearms in a form prescribed by the Commissioner...."

That was 1977. The registry was introduced in 1995. It's dishonest to suggest that this is a registry. This is controls on the sales of firearms that are in place in the United States and most industrialized countries, and we're asking for them to be reinstated.

Mr. Glen Motz: You recall with C-42 under the previous Conservative government—as I mentioned earlier to a previous witness—that those who were convicted of domestic violence were prohibited from acquiring a firearm and their firearms were seized. In your testimony, if I heard you correctly—and I just skimmed some of your material—do you think it would be of value if we expand that to those who have been convicted of other violent crimes besides domestic-assault-related?

● (1230)

The Chair: That's an important question. Unfortunately, Mr. Motz has left you no time to answer it, so I'll leave it to you to work it back in. I suspect it will be more than a "yes" or "no".

Mr. Dubé, you have seven minutes, please.

Mr. Matthew Dubé: Thank you for taking the time today.

At the risk of perhaps continuing that archeological exercise when it comes to that legislation, my understanding is that it was repealed in 1998—if I'm not mistaken—to make way for—

Ms. Wendy Cukier: It was 1995.

Mr. Matthew Dubé: It was 1995. You mentioned that in the previous Parliament when the legislation was adopted limiting the long-gun registry, witnesses were calling for the reinstatement of this type of shopkeeper record-keeping, in other words.

Ms. Wendy Cukier: Yes.

In fact, it was interesting, because the Canadian Association of Chiefs of Police pleaded with the government to reinstate some measures to address the gaps that were created by that legislation. Rick Hanson, who was the chief of police in Calgary, specifically said on the record that he did not support the registry and asked that they reinstate the 1977 legislation and give police access to the records. That's in Hansard, and I'm happy to provide it to anyone in the room

There is no way, except in conspiratorial minds, that you can say reinstating what was in place in 1977 is a registry. The registry was in 1995. Prior to that, we had point-of-sale controls. We did not require individual gun owners to have a piece of paper. That was the registry. When we required individual gun owners to have a piece of paper saying they own this gun, that was the registry. That's what we got rid of with respect to unrestricted firearms.

To suggest that this is equivalent to requiring gun dealers to keep records that the police have access to, which is the case in the United States of America, and was the case in Canada as of 1977, is disingenuous in my view.

Mr. Matthew Dubé: Can you tell us a little about how it played out in terms of costs or burdens on the shopkeepers? It must have been a formality at that point, after that legislation had been in place for nearly 20 years.

Ms. Wendy Cukier: Most shopkeepers do keep some kinds of records, but not in a consistent format.

I'm sorry I didn't bring it. If I can dig it out of storage, I will provide you with a copy of the big green book that was provided to the shopkeepers. They wrote in the FAC information, as well as the make, model, and serial number.

We have had controls over ammunition that were more onerous than what is being requested for people who are selling firearms.

Again, I come back to the fact that this is a privilege, not a right, and the priority has to be public safety. To not give the police the tools they need to investigate crimes is unprincipled and wrong, in my view.

Mr. Matthew Dubé: In terms of the background check—the lifetime background check—I'm wondering if you could validate some information that I found in preparation for this bill.

The courts have already allowed that in certain cases it's appropriate to do the full background check before someone gets a PAL.

Is that correct information?

Ms. Wendy Cukier: There's no question. The burden of proof is on the gun owner to show that the police or the firearms officer made an error, because the priority is supposed to be on public safety.

Mr. Matthew Dubé: Currently, even with the five-year period, which would become a lifetime...there is still some discretion that is exercised.

In other words, all it's doing is giving the ability to examine the person's background, do different verifications. However, ultimately whether it's over five years, over 25 years, there is still—if I can qualify it this way—a discretionary decision that's being made based on certain mental health issues. We talked about, for example, if you're 16 years old and you got dinged for simple marijuana possession, or something along those lines, whether that is fair.

Ms. Wendy Cukier: Absolutely. It's discretionary.

It isn't "shall" prohibit someone from owning guns; it's that you shall take these things into consideration. It's important. I suspect that if Roméo Dallaire, in spite of having a history of depression that led him to give away his firearms, were to apply for a firearms licence today, he could probably qualify.

Again, I think that's a misrepresentation to suggest that because you can consider these factors, any one of these factors will prevent you from having a firearm.

We saw the same thing with the references in spousal notification. All those do is to potentially trigger a more thorough investigation.

● (1235)

Mr. Matthew Dubé: I have a last question.

The Chair: You have a minute and a half.

Mr. Matthew Dubé: I apologize if you've already provided this information.

I'm wondering about domestic firearms that are obtained illegally. Putting aside the issue of smuggling at the border, statistically what is the primary cause? Is it through theft, or is it through illegal sales?

Ms. Wendy Cukier: It's a combination. I don't think anyone has provided a statistical analysis, because all they know, when they trace the guns—if they're able to trace the guns—is that a bunch of them came from here, and a bunch of them came from there. When you look at where they really came from, in many cases you don't know for sure, but we certainly have cases where people have been prosecuted for straw purchases.

On the gun theft issue, gun owners are supposed to report if their guns are stolen. If there is no accountability, they don't, and that in itself is a problem. We used to see cases, for example, where, when gun dealers were asked about where certain guns had come from, they would suddenly remember that those guns had been stolen. Theft is a problem, without question, sometimes because people have not properly stored the firearms. Straw purchases are definitely a problem here as well as in the United States, and so is people just being careless with who they give their guns to.

We saw one of the worst police shootings at Mayerthorpe. A guy gave his buddy his firearm without thinking about what the consequences would be.

There are a whole variety of ways in which you see diversion of legal guns to illegal markets.

The Chair: Thank you.

Mr. Fragiskatos, you have seven minutes, please.

Mr. Peter Fragiskatos: Thank you for being here today.

I am an urban-based member of Parliament from London, Ontario, but London is surrounded by rural areas. Whether one lives in an urban area or whether one lives in a rural area, we can all agree on the need for public safety, the need to make sure that mental health is taken very seriously, and that suicide prevention is top of mind for any responsible government.

You spoke at the beginning about the importance, Ms. Cukier, of suicide prevention. My question is in that vein. The RCMP says that 80% of firearm deaths are suicide, yet an analysis of mental health history over one's lifetime is not required, as you know, in order for a gun licence to be granted. I'm telling you things that you already know, but I think they're important. This came up in the first session, but there wasn't enough time to really engage in it.

The result is that applicants who have put forward an interest in obtaining a gun licence who have disclosed serious mental health problems that they have endured throughout their life have, in fact, been given a gun licence, and the result is that they have taken their own life and, if not taken their own life immediately, put themselves in a position where they endanger their family. The end situation is that their life is taken either by police or by someone else, because of the situation that's created due to their mental illness.

I wonder if you could speak to how critical this problem is, because it's not one or two cases that we're talking about here.

Ms. Wendy Cukier: It's interesting, because if you look at the recent review that was done of veterans and post-traumatic stress disorder, there have been a number of quite serious cases. The professor from the University of Manitoba who did the review was very explicit about the importance of addressing the firearms issue, because, of course, people in the military are more likely to have access to firearms.

Mental health issues are always difficult to assess, treat, and judge the severity of. I think, again, no one is saying necessarily that, because someone was depressed 15 years ago, they shouldn't have access to firearms, but I agree with you completely. Suicide prevention experts will say that most suicides are preventable. Even though public opinion is often that if someone wants to kill himself, he'll kill himself, it's not borne out by the facts.

When I started working on this issue, I think about 1,100 Canadians killed themselves each year with firearms, and even though the population has increased, with progressive strengthening of gun laws, we've seen that halved. There has been a very clear decline, and the research shows that, as you put more emphasis on screening and controls over firearms to keep them away from people with mental health issues and build that into your screening, you can reduce suicide.

One of the recommendations I didn't get to bring forward came from the Canadian Association of Emergency Physicians. They proposed that physicians be required to report people they think ought not to have firearms, in exactly the same way most provinces require them to report people who ought not to drive motor vehicles. That would go a long way to addressing this more systematically.

● (1240)

Mr. Peter Fragiskatos: You made an interesting point when you said that a background check would be discretionary. I think no one is saying—in your words, as you put it—that if someone had some difficulty with depression that would automatically lead to the denial of a licence.

Opponents of the bill seem to have created a sort of straw man argument by which they say that if someone has a bad day or someone has a brief experience with depression, that would automatically lead to the denial of a gun licence. In fact, if you look at the legislation, it says that the background check on issues of mental health would look at whether the person:

> (b) has been treated for a mental illness, whether in a hospital, mental institute, psychiatric clinic or otherwise and whether or not the person was confined to such a hospital, institute or clinic, that was associated with violence or threatened or attempted violence on the part of the person against any person; or

There is some legal, technical language in there, but we're not talking about a bad day. We're talking about someone who has a real history with mental illness, who has had that challenge, and for whom there is concrete evidence that they've endured it. I think it's important that this point be emphasized. You've done it here, and I've read from the legislation.

It seems that opponents of C-71 haven't delved into the details. Perhaps they haven't even read the legislation.

In what remaining time I have, Mr. Chair, I'll pass it along to my colleague, Mr. Spengemann.

The Chair: You're not being generous. He only has a minute and a half.

Mr. Sven Spengemann: Thank you. I'm grateful, Mr. Chair.

Ms. Cukier, thanks very much.

I wanted to put a finer point on the discussion that's already been before you and, in fact, through Mr. Fragiskatos, in front of the previous panel, and that's the question of what weapons should never be placed into the hands of civilian gun enthusiasts or sports shooters.

I'm looking at an iPolitics article from last year titled, "Record-setting sniper rifle available for non-restricted sale in Canada". The weapon referred to is the McMillan TAC-50, which was reportedly used by a Canadian sniper to kill an ISIS target in Iraq with a record-breaking 3.5 kilometre shot. It's a 50-calibre and has tremendous lethal force. It's not something you'd want to hunt with because whatever you shoot at is probably not going to be around to eat.

Could you give us a bit more of your frame of mind in terms of how we distinguish purely military weapons like the AR-15—my view on this one, certainly—from those that should be legitimately enjoyed by Canadians in a sporting context?

Ms. Wendy Cukier: As I said, I did a report on this, in 2005, I think. There's no question.

Even with the assault weapons ban in the United States, there are differences of opinion on what's over and what's under the limit, but to me the test is what is reasonably used in hunting. I think you've answered your question very clearly. That sniper rifle for sure is not reasonably used in hunting. Therefore, one would conclude that it should at least be restricted and probably prohibited because it's very hard to make an argument that it would be used in target shooting either.

Mr. Sven Spengemann: I was going to ask whether that weapon belongs on a sport shooting range, with that calibre.

Ms. Wendy Cukier: To me, it would meet the threshold in terms of being a prohibited firearm. That's an argument that has been made in other jurisdictions as well.

● (1245)

The Chair: Thank you, Mr. Spengemann.

Mr. Calkins, you have five minutes.

Mr. Blaine Calkins: Thank you, Chair.

Wendy, I appreciate your testimony here today.

I just want to ask you, a 308-calibre, is that a hunting calibre, or is that a sniper calibre?

Ms. Wendy Cukier: Generally the classification of firearms is not based on calibre.

Mr. Blaine Calkins: I understand that, but the argument that Mr. Spengemann was making—

Ms. Wendy Cukier: Well, 55 is the—

Mr. Blaine Calkins: He talked about a 50-calibre, so I'm asking you whether you know if a 308-calibre is a sniper calibre or a hunting calibre.

Ms. Wendy Cukier: Generally, it's hunting.

Mr. Blaine Calkins: You'd be surprised to know that it's actually a military calibre as well.

What about a 338? Is that a hunting calibre or sniping calibre?

Ms. Wendy Cukier: As I said, I don't believe that the calibre is an issue.

Mr. Blaine Calkins: You don't know, or you don't—

Ms. Wendy Cukier: I don't believe that the calibre is the issue. That's not used as classification criteria for firearms.

Mr. Blaine Calkins: Fair enough.

I want to get back to some stats.

Ms. Wendy Cukier: The Rueger Mini-14, which is sold as an unrestricted weapon, uses military ammunition.

Mr. Blaine Calkins: So does my varmint gun. It's a 223.

Ms. Wendy Cukier: But what I'm saying is that is not used as part of the classification system. I think the point with the sniper rifle is that it shoots 2.3 kilometres, and it was designed for military and tactical purposes.

Mr. Blaine Calkins: 30.06 will shoot a mile.

Ms. Cukier, when it comes to the statistics that you quoted about domestically sourced firearms, and domestically sourced firearms being used more and more when it comes to gangs and so on, are you aware that any firearm where the markings or the serial number has been removed or destroyed from the firearm automatically defaults to being classified as a domestically sourced firearm?

Ms. Wendy Cukier: I don't believe that's true based on the processes used in Toronto. They specify the firearms that they are able to trace, and they classify them as untraceable if they don't have a serial number. I think if you look at the data, we're talking about guns that have been traced, not those which can't be traced. They break it down into quite—

Mr. Blaine Calkins: In your statistics, then, you're using just the ones that can be traced.

Ms. Wendy Cukier: Just the ones that can be traced. That's all I'm talking about.

Mr. Blaine Calkins: Not the ones that can't be traced. Okay, thank you. I appreciate that.

In your testimony, you talked about someone who might be in a rural or remote location and—notwithstanding wherever a person might live—they feel threatened by their spouse during a domestic issue or an incident whereby firearms are in the house. You talk about that safety factor. Right now, if somebody were to pick up the phone and call the RCMP for a domestic complaint, if a firearm was used, that would automatically put a flag from that point forward in the continuous eligibility criteria on that individual's ability to possess a firearm.

Would you agree with that statement?

Ms. Wendy Cukier: Yes, after they have the licence.

Mr. Blaine Calkins: After they have the licence, agreed.

What is changing now, with the legislation of Bill C-71, that will make that different?

Ms. Wendy Cukier: The focus is on when they get the licence and extending both the time period—

Mr. Blaine Calkins: No, that's—

Ms. Wendy Cukier: Sir, can I answer your question?

Mr. Blaine Calkins: I don't think you're answering my question. I want to be clear about what my question was.

My question is about somebody who currently has a licence—not somebody who is going to go get a licence—who has a firearm in their possession and is involved in a domestic incident.

How does that legislation change or differ now from what's being proposed in Bill C-71?

Ms. Wendy Cukier: There's nothing in this legislation that addresses that specifically. What is in this legislation that I think we're supposed to talk about—rather than what's not in it, because there are lots of things we'd love to add—is that by improving the screening processes, you reduce the chances that someone with a history of violence gets access to firearms.

Mr. Blaine Calkins: I think we all want that. I think we're unanimous in that at this table. When I offered Minister Goodale the opportunity to pass all the aspects of this bill that dealt with the background checks and the initial eligibility for a firearms licence, and to remove all the other stuff that frustrates law-abiding firearms owners—because they feel that they're being adversely penalized for the crimes of a few—that was denied by Mr. Goodale, which I find —

Ms. Wendy Cukier: It's interesting because when you look at rural communities, what is the relevance of the ATF changes? When you look at existing gun owners, what is the impact of introducing the controls on sales?

Can you explain it to me?

Mr. Blaine Calkins: Well actually, you're here to answer my questions.

Ms. Wendy Cukier: Yes. It was rhetorical.

Mr. Blaine Calkins: Because of the suicide issue.... I'm skeptical, because I do believe that most people who want to kill themselves will eventually find a way. I don't want anybody to die by a firearm. Do you think there should have been something in this bill to tie the provincial mental health act to Bill C-71, as an opportunity to improve safety when it comes to suicides?

● (1250)

The Chair: Please answer very briefly.

Ms. Wendy Cukier: We're recommending broadening the criteria. As I said, we've also recommended that the government look at mechanisms to work with the provinces to require mandatory reporting by health care professionals of people who ought not to have access to firearms.

The Chair: Thank you.

Ms. Damoff, you have five minutes.

Ms. Pam Damoff: Thank you, Chair.

When I knew this bill was coming before our committee, I contacted the Halton Regional Police domestic violence unit and she referred me to the Ontario Office of the Chief Coroner Domestic Violence Death Review Committee, which does an annual report. The most recent was released in September 2017. It was the annual report for 2016.

I want to clarify that it was suggested earlier that the 26% number was made up. That actually comes from that report. It says, "shooting (i.e. handgun, rifle, shotgun or gun not specified) was a death factor in 26% of the deaths". Those are domestic violence deaths. To be clear, over a quarter of women who are dying at the hands of their partner are dying because a gun was used.

One of the things that hasn't been talked a lot about in this bill is a provision that will see that the guns will be forfeited to the crown when there is a prohibition order. When I mentioned that to the police, they were quite pleased with that. I'm aware of a situation in my community where the guns were actually released to a brother. The person in a domestic violence case was prohibited from having firearms. I said to the officials that it doesn't really matter if they're prohibited or not if they get their hands on the gun.

Do you think that's an important provision, that those firearms are forfeited to the crown, rather than the possibility of being given to a friend or a family member?

Ms. Wendy Cukier: To be perfectly honest, I haven't looked at that in detail, so I would hesitate to answer.

Ms. Pam Damoff: That's fine

Ms. Wendy Cukier: In general it makes sense. To be fair, General Dallaire was not prohibited from using a firearm. He voluntarily surrendered his. There are instances, though, where you might want to encourage someone to surrender their firearm. It might be that somebody could be a recipient and would be responsible for that firearm.

Ms. Pam Damoff: But this is a case where they're being prohibited from owning the firearm, right?

Ms. Wendy Cukier: Yes.

Ms. Pam Damoff: The police told me they thought it was a huge help in their work in domestic violence.

Ms. Wendy Cukier: Yes. I think it depends on the specific circumstances. That might be a case where you want discretion, or where it says "will generally", you use the words that suggest that the norm is that they forfeit them. There could be exceptions that I can't think of right now. There might be.

Ms. Pam Damoff: One thing you brought up a few times—you held up the report—was the B.C. report that was done on illegal firearms, specifically looking at guns and gangs and why we're getting so many illegal firearms in British Columbia. I read the report and the recommendations in there. You mentioned the stats, but it talked about these straw purchases, where the Hells Angels, for instance, will get someone who can go and get a licence and purchase 49 weapons. Those guns will in turn find their way to the Hells Angels.

One of the recommendations was to do exactly what we're doing in terms of keeping records of the sales.

Do you happen to have that there?

Ms. Wendy Cukier: Yes, I have that. The stockpiling issue, which John Tory also mentioned and cited a number of cases for, is also an issue when it comes to political violence. As some of you are aware, there have been issues historically of certain kinds of extremists stockpiling weapons.

The verification process with licensing is critically important, first of all, as is trying to trying to figure out if there are mechanisms that can be used—not just for restricted and prohibited firearms sales but also for unrestricted firearms sales—where a flag goes up. For instance, there used to a "one gun a month" law in the U.S. I don't know what the threshold is, but certainly if somebody who is not a dealer is buying 75 guns, one might want a flag to go up and an investigation to see why.

● (1255)

Ms. Pam Damoff: Thank you very much.

The Chair: Mr. Zimmer, you have the final four minutes.

Mr. Bob Zimmer: Thank you, Mr. Chair.

I think we're talking about two different groups in Canada. We're sent to Ottawa to represent firearms owners and we're also sent here to represent the people who don't own firearms, who maybe even are concerned about firearms ownership. But I think in the argument that we have, we still need to have a rational argument about what is safe to use and what Canadians expect to have the ability to use.

I want to ask you this question: do you think anyone in Canada needs a firearm?

Ms. Wendy Cukier: Yes, absolutely. I mean, I don't know how you define "needs", but I grew up in a community where lots of people were hunters and target shooters. I don't have a principled objection to gun ownership any more than suggesting that having controls over drivers in vehicles is part of an international conspiracy to get rid of cars.

Mr. Bob Zimmer: That leads me to my next question. We're talking about Bill C-71. We've gone over whether we'll debate whether it's a registry or not. I think what's key for me especially in the debate about a registry isn't just the fact of it being a registry or not. Some care that their name is in a registry. Personally, I own firearms. My name is in a registry because I have restricted firearms. It doesn't bother me. I think it's the use of money in the right place, let's say, because this legislation is supposed to combat gangs and guns. The former registry cost $2 billion.

I want to pose a question. You don't need to answer it. It's just for thought. If we were able to put $500 million into extra border security at the U.S.-Canada border to look for exactly that, gangs and guns activity, would you spend it?

Ms. Wendy Cukier: Again, we see that this is not the principal source of guns.

I'll just get a correction on the record. The registration of rifles and shotguns did not cost $2 billion, just to be clear.

Mr. Bob Zimmer: We can debate that.

You just made a statement that I think is incorrect. You just said that guns coming across the border is not the problem, but your earlier testimony spoke to the fact that guns are coming across the border.

Ms. Wendy Cukier: It's no longer the principal source of crime guns in Canada. The principal source of crime guns in Canada, according to the Toronto police and the B.C. police, is the diversion of legal guns to illegal markets.

Mr. Bob Zimmer: Again, specifically what we're talking about, from our perspective.... We all don't want to see people using firearms in the wrong way. I don't want anybody to obtain a firearm to either hurt themself or hurt somebody else.

The mental part of this and the extension to 10 years doesn't bother me at all either. Again, if something is in somebody's history that is going to possibly make them use a firearm in the wrong way, I want that to be known and to be used. That's where I differ with some opinions.

The premise of it, though, is that resources can be better spent elsewhere, rather than putting more regulation on lawful firearm ownership in Canada. That's the principal difference between us as a party and the party opposite. I would rather see the money go toward actually combatting gangs and guns as opposed to just layering more regulations on lawful firearm ownership.

That is a finishing statement that I'll make, and I'd like to finish up with it.

Thank you, Mr. Chair.

The Chair: Thank you.

Thank you, Ms. Cukier.

I appreciate your coming as a witness. It's unfortunate that you didn't have a co-panellist, but it is what it is. Hopefully we will, somehow or other, get....

Before I conclude this meeting, colleagues, you have two budgets in front of you.

The first budget is with respect to this project, this study. The request is around $24,000.

Is there any discussion about this budget?

I need a mover.

● (1300)

Ms. Pam Damoff: I so move.

(Motion agreed to [See *Minutes of Proceedings*])

The Chair: Now we're on the second budget, request for travel. This is the ongoing study of indigenous people in the correctional system. You can read it. It is around $89,000.

I need a mover.

Ms. Julie Dabrusin: I so move.

The Chair: Is there any discussion?

Mr. Motz.

Mr. Glen Motz: Is the plan to attend all these locations with the whole group?

The Chair: It's the universe. Whether we do every one of them is another issue.

Ms. Pam Damoff: There are only seven of us, too, not 10.

The Chair: Yes.

Is there any other discussion?

(Motion agreed to [See *Minutes of Proceedings*])

The Chair: Thank you, colleagues.

The meeting is adjourned.

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